

**From:** [Carlos Sanchez](#)  
**To:** [Gloria-Small Moran](#)  
**Cc:** [Donald Williams](#); [Hynum, Tammie](#)  
**Subject:** Fw: Complaint of EPA staff non-responsiveness/ Arkwood Inc. Partial Deletion/ Fwd: formal request  
**Date:** 03/22/2012 03:58 PM  
**Attachments:** [110426DRAFTGrishamJrConcernsReDraft3rd5yearReview.pdf](#)

---

Gloria,

I believe that most of the issues raised by Mr. Grisham for the Five Year Review we discussed at the November 2011 meeting. The state discussed the issues regarding the surface water criteria. As a matter of fact, most of the discussion at the November meeting was on the Five Year Review. We also discussed reuse (another Five Year Review issue). Did you take notes or minutes of the meeting? Although EPA and ADEQ discussed his Five Year Review issues at the November meeting, I guess since we did not formally replied to him, he does not believe that his issues have been addressed. CAS

Carlos A. Sanchez  
Chief, AR/TX Section  
Region 6, Superfund Division (6SF-RA)  
[sanchez.carlos@epa.gov](mailto:sanchez.carlos@epa.gov)  
(214) 665-8507

----- Forwarded by Carlos Sanchez/R6/USEPA/US on 03/22/2012 03:48 PM -----

From: "grish.org" <[curt@grish.org](mailto:curt@grish.org)>  
To: Carlos Sanchez/R6/USEPA/US@EPA  
Cc: "grish.org" <[curt@grish.org](mailto:curt@grish.org)>, Charles Faultry/R6/USEPA/US@EPA, Donald Williams/R6/USEPA/US@EPA, Gloria-Small Moran/R6/USEPA/US@EPA, Shawn Ghose/R6/USEPA/US@EPA, Al Armendariz/R6/USEPA/US@EPA, James Woolford/DC/USEPA/US@EPA, Sam Coleman/R6/USEPA/US@EPA, [marks@adeq.state.ar.us](mailto:marks@adeq.state.ar.us), [benefield@adeq.state.ar.us](mailto:benefield@adeq.state.ar.us), Pam Phillips/R6/USEPA/US@EPA  
Date: 03/22/2012 02:57 PM  
Subject: Re: Complaint of EPA staff non-responsiveness/ Arkwood Inc. Partial Deletion/  
Fwd: formal request

---

Mr. Sanchez,

Your reply is unsatisfactory.

As I indicated to Mr. Faultry yesterday and today, there are other outstanding communications from me that you have neglected besides the November 30, 2011 and November 23, 2011 letters I wrote to you.

The most important communication to you from me that you have ignored is my document containing my formal comments and concerns for the Draft Third Five-Year Review for Arkwood. I have attached my concerns document here again. It took me many hours to prepare.

I delivered this document to you on April 28, 2011, under the deadline you set. You acknowledged receipt on the same day, when you wrote to me:

"Thank You Mr. Grisham for your comment on the Five Year Review. We will consider your comments before we finalize the report. CAS"

In a reply that you took almost four months for you to make to my May 24, 2011 inquiry, you state:

"Mr. Grisham,  
Sorry for the delay in completing and sending you the copy of the Third Five Year Review. Here it is. We are also working with the site attorney to respond to your comments and questions you had for the site. Also, we will check with the Region Reuse Coordinators and check with the potential future reuse for the site. CAS"

The Third Five-Year Review for Arkwood, which now cannot be changed, was finalized without the promised consideration of my formal comments and concerns. The errors and misstatements I pointed out in my concerns document persisted into the finalized version and became official and immutable.

Stated otherwise: formal commentary from a concerned member of the public was willfully or neglectfully ignored by EPA during the production of the Third Five-Year Review for the Arkwood site.

I consider that a serious failure.

Do you ever intend to fulfill your promise to respond to the comments and concerns I had for the site, which I formally submitted to you under deadline on April 28, 2011?

Can you tell me what caused your delay of more than three and one-half months in your response to my November 30, 2011 letter, when you knew time was of the essence in this matter?

Can you tell me what "misunderstanding" caused a delay of more than four months in your writing the promised letter to ADEQ regarding partial deletion for Arkwood?

I think I deserve some explanation of these failures as a concerned member of the public and as a taxpayer.

Charles Curtis Grisham, Jr.



110426DRAFTGrishamJrConcernsReDraft3rd5yearReview.pdf

On Mar 22, 2012, at 10:37 AM, Carlos Sanchez wrote:

Mr. Grisham,  
As Mr. Faultry indicated to you yesterday, I am working on a response to your November letter and it will be sent out on tomorrow, Friday, March 23, 2012. Regarding your request for partial deletion, there was a misunderstanding on what and how much information we needed to send to the state ADEQ when we request the partial deletion. We will be sending the request to the state next week. CAS

Carlos A. Sanchez

Chief, AR/TX Section  
Region 6, Superfund Division (6SF-RA)  
[sanchez.carlos@epa.gov](mailto:sanchez.carlos@epa.gov)  
(214) 665-8507

From: "grish.org" <[curt@grish.org](mailto:curt@grish.org)>  
To: Charles Faultry/R6/USEPA/US@EPA  
Cc: "grish.org" <[curt@grish.org](mailto:curt@grish.org)>, James Woolford/DC/USEPA/US@EPA, Sam Coleman/R6/USEPA/US@EPA, Al Armendariz/R6/USEPA/US@EPA, Pam Phillips/R6/USEPA/US@EPA, [marks@adeq.state.ar.us](mailto:marks@adeq.state.ar.us), [benefield@adeq.state.ar.us](mailto:benefield@adeq.state.ar.us), Donald Williams/R6/USEPA/US@EPA, Carlos Sanchez/R6/USEPA/US@EPA, Gloria-Small Moran/R6/USEPA/US@EPA  
Date: 03/22/2012 11:54 AM  
Subject: Complaint of EPA staff non-responsiveness/ Arkwood Inc. Partial Deletion/ Fwd: formal request

---

Mr. Faultry,

As you know, I am disappointed that promises made to me by Mr. Sanchez have not been kept and that he has not been responsive to my formal communications.

Years ago I gave up attempting to work directly with Arkwood Remedial Project Manager Shawn Ghose due to his chronic unresponsiveness to my communications and his lack of diligence.

I just spoke with Ryan Benefield, Deputy Director at Arkansas Department of Environmental Quality. Mr. Benefield, who is familiar with the Arkwood site, said he has heard nothing about "partial deletion" for Arkwood from the EPA since the idea first came up some four years ago (and went nowhere).

This is contrary to the promise made to me by Mr. Sanchez below on November 25, 2011.

Has Mr. Sanchez written to ADEQ requesting their concurrence that the Arkwood Inc. Superfund site (EPA ID: ARD084930148 Site ID: 0600124) be submitted for partial deletion from the National Priorities List?

If Mr. Sanchez has written that letter to ADEQ, could I please receive a copy of that letter?

The Arkwood landowner and surrounding community have already lost years of use of the property, when it arguably should have been deleted and returned to industrial reuse long ago, if the RPM Mr. Ghose had performed his duties and responsibilities with diligence.

Please request that Mr. Sanchez work more diligently on this matter and that he respond timely to all my communications and to those of other stakeholders at the Arkwood site.

Please request that Shawn Ghose, Remedial Project Manager for Arkwood, be replaced with a different RPM for Arkwood.

Please review the Arkwood site management history to determine if the installation of the onsite injection operations by McKesson at Arkwood was properly approved by EPA through the concurrence process.

The scientific data prove that the installation and operation of the onsite injection operations caused a release of contaminant and hindered the existing EPA-approved groundwater remedy.

No study has been performed to assess the possible damage of McKesson's ongoing injection of water onsite at high pressure, underground, 24 hours a day, 365 days a year for many years, continuing indefinitely.

If McKesson's injection operations cause a sinkhole or other ill effect, the Arkwood land will have been further damaged.

If EPA did not approve through full concurrence the "injection wells" and injection operations that McKesson installed on the Arkwood site, I ask that EPA order McKesson to cease injection operations on the site, to remove that injection apparatus from the site and to repair the damage it has inflicted on the Arkwood land.

Once the injection apparatus has been removed with EPA approval, and the damage its installation and operation caused to the Arkwood land has been repaired by McKesson, I ask that EPA submit Arkwood for full, not partial, deletion from the NPL.

Thank you,

Curt Grisham

Begin forwarded message:

**From:** [Sanchez.Carlos@epamail.epa.gov](mailto:Sanchez.Carlos@epamail.epa.gov)

**Date:** November 25, 2011 7:38:56 AM PST

**To:** "grish.org" <[curt@grish.org](mailto:curt@grish.org)>

**Cc:** [Williams.Donald@epamail.epa.gov](mailto:Williams.Donald@epamail.epa.gov), [Ghose.Shawn@epamail.epa.gov](mailto:Ghose.Shawn@epamail.epa.gov)

**Subject:** Re: formal request

Curt,

This letter is all we need to start the process to partially delete the Arkwood site from the National Priorities List (Superfund). We will keep you inform and provide update as the process moves forward. The first step involves EPA sending a letter to ADEQ requesting their approval to delete the site. CAS

Carlos A. Sanchez  
Chief, AR/TX Section  
Region 6, Superfund Division (6SF-RA)  
[sanchez.carlos@epa.gov](mailto:sanchez.carlos@epa.gov)  
(214) 665-8507

From: "grish.org" <curt@grish.org>  
To: Carlos Sanchez/R6/USEPA/US@EPA  
Cc: "grish.org" <curt@grish.org>  
Date: 11/23/2011 03:37 PM  
Subject: formal request

---

Hi Carlos,

Here's a scan of the letter I'm putting in the mail to you today.

Please let me know if this letter is not complete for the purpose or if you need anything else to get the ball rolling.

If you wouldn't mind, please acknowledge receipt of the formal letter once you have received it via USPS.

Thank you and Happy Thanksgiving.

Curt

[attachment "20111123ReqPartDel.pdf" deleted by Carlos Sanchez/R6/USEPA/US]